

3. Restore and protect the ability of the SWP and CVP to deliver up to full contract amounts, when hydrologic conditions result in the availability of sufficient water, consistent with the requirements of state and federal law and the terms and conditions of water delivery contracts held by SWP contractors and certain members of San Luis Delta Mendota Water Authority, and other existing applicable agreements.

The above Purpose Statement reflects the intent to advance the coequal goals set forth in the Sacramento–San Joaquin Delta Reform Act of 2009 of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The Federal Lead Agencies' view of the above phrase—*restore and protect the ability of the SWP and CVP to deliver up to full contract amounts*—is related to the upper limit of legal CVP and SWP contractual water amounts and delineates an upper bound for development of EIR/EIS alternatives, not a target. As indicated by the use of “up to full contract amounts,” alternatives need not be capable of delivering full contract amounts on average in order to meet the project purposes. It is not intended to imply that increased quantities of water will necessarily be delivered under the BDCP. The Federal Lead Agencies believe that, for the purpose of NEPA, alternatives that depict design capacities or operational parameters that would result in deliveries of less than full contract amounts are consistent with this purpose.